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BY HAND AND ELECTRONIC MAIL

Mary Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: D.T.E. 04-33: Verizon's August 29, 2005 Compliance
Tariff Filing (TT 05-87)

Dear Secretary Cottrell:

Pursuant to Hearing Office Reyes' memorandum of September 6, 2005, AT&T files this letter as its initial comments regarding Verizon's August 29 Tariff filing.

In its July 14, 2005, Arbitration Order ("Arbitration Order"), the Department addressed and resolved the issues in dispute regarding an amendment to the interconnection agreements ("ICAs") of the parties in this Consolidated Arbitrations docket, and ordered the submission of a conforming amendment.¹ Following the Arbitration Order, the parties presented to one another different contract language reflecting different interpretations of the Department's order. Since then, the parties have been negotiating their differences and have been making significant progress in resolving them. It now appears that many, if not most, of the differences will be resolved without further Department action.²

In its Arbitration Order, the Department also directed Verizon to modify Tariff 17 to the extent necessary to conform to the requirements of its order.³ It is no surprise that much of the same language that Verizon used in its proposed amendment shows up in its proposed tariff. Thus, many of the same issues are presented in the establishment of an

¹ Arbitration Order, at 290.

² This is not to say that further action will not be required on some of the issues.

³ Arbitration Order, at 290.

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ICA amendment that complies with the Department's Arbitration Order as are presented in the establishment of a tariff that complies with that order. AT&T, therefore, strongly recommends that the Department suspend Verizon's proposed tariff filing until much of the problematic language that appears in the tariff is resolved when the same issues are resolved with respect to the ICA amendment. Such an approach reflects a far more efficient use of the already strapped resources of the parties and the Department. There is no reason why the Department and parties should proceed down two different parallel tracks litigating the very same issues at the same time. Although AT&T does not recommend it, another option available to the Department would be to permit Verizon's proposed tariff amendments to go into effect, subject to revision, after the ICA amendment issues are resolved.

Without waiving its rights to object further to Verizon's August 29 tariff filing, AT&T here points out several places where Verizon's tariff should be amended to conform to the Department's Arbitration Order.⁴ Attached are several Verizon tariff pages with proposed changes in redline or highlighted text that is problematic. Each redlined or highlighted text is associated with an endnote that provides the basis for the edit. AT&T offers these edits as examples of changes that will need to be made to Verizon's tariff; they are not intended to be exhaustive.

In conclusion, AT&T strongly urges the Department to avoid the unnecessary duplication of effort that would result from litigating the tariff in parallel with the ICA amendment and defer a determination on whether Verizon's proposed changes to Tariff 17 comply with the Department's Arbitration Order until after the very same issues are resolved in connection with the ICA amendment. Indeed, much of AT&T's concern with Verizon's August 29 tariff filing may well be resolved without further Department action if the tariff issues are deferred until later.

Kindly acknowledge receipt of this filing by date stamping a copy of this cover letter and returning it to the waiting messenger.

Thank you very much.

Respectfully submitted,

Jay E. Gruber

cc: D.T.E. 04-33 Service List

⁴ As stated above, many of AT&T's proposed amendments here are the subject of negotiation in connection with the ICA amendment. AT&T reserves its right to revise any of its proposed language here in light of the ongoing ICA negotiations between AT&T and Verizon.